सी॰आई॰एस॰एफ॰, उन से भी लिए जाते हैं और स्टेट पुलिस से भी लिए जाते हैं। So that every section of the security forces has elements who are trained as NSG commandos. Therefore, the posting in that Force is on the basis of deputation. This should be borne in mind.

SHRI ROBERT KHARSHING: Mr. Chairman, Sir, I would like to draw the attention of the hon. Deputy Prime Minister to part (b) of the question, which is about modernisation of the Force. The NSG is a very important allied commando Force. They should be alert in body and mind, at all times, and they are required to take split-second decisions in crisis situations. The black uniform is totally unsuitable during the hot, dry season as it induces a lot of sweat and heat, and it makes the NSG commandos extremely uncomfortable. It also reduces their effectiveness, which could make a difference in life and death.

MR. CHAIRMAN: Please put your question.

SHRI ROBERT KHARSHING: Yes, Sir. May I know from the hon. Deputy Prime Minister whether the Government is willing to consider a separate cooler uniform, in light colour, for summers. The black dress code can be followed during the winter season.

SHRI L.K. ADVANI: I am sure the hon. Member would appreciate that NSG itself is the best Force which can judge these matters. We are not going to judge about what kind of uniform they should wear, and what they should not wear. But so far as modernisation is concerned, it is an on-going effort. During the last five years an amount of Rs. 82 crores has been granted for that, and that process is going on. In fact, any hon. Member, who is keen to see their training, is welcome to visit Manesar, and he would have an idea of the kind of training that these deputationists from various security forces have to undergo.

Prosecution of criminals

*311. SHRI RAJU PARMAR:
SHRI C. RAMACHANDRAIAH:†

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are considering a proposal for the formation of a Coordination Committee to prosecute criminals effectively and to ensure that witnesses are not bought over by criminals;

†The question was actually asked on the floor of the House by Shri C. Ramachandraiah.

(b) if so, the details of the proposal with regard to composition of the said Committee; and

(c) whether the Coordination Committee will be headed by a prominent Judge and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) No, Sir.

(b) and (c) Do not arise.

SHRI C. RAMACHANDRAIAH: Mr. Chairman, Sir, I know that law and order is a State subject. But the criminals, especially the notorious criminals, in the State are disturbing the peace and tranquility of the society. They are so resourceful that they are having excellent relations with the people at the helm of affairs, and the privileged sections of the society. They try to buy over the prosecution witnesses. Though law and order is a State subject, I would like to know whether the Government of India can evolve a mechanism or, if necessary, effect changes in the Criminal Procedure Code to limit these criminals' capacity to buy over the witnesses so that the prosecution is not weakened.

SHRI I.D. SWAMI: Sir, in fact, in the beginning, the Law Commission had made a recommendation for separation of the Prosecution from the Executive. It had its effect. That was really a progressive step. But, even after that, what the hon. Member is pointing out is coming true in most of the cases. That is why the Ministry of Home Affairs had appointed the Justice Malimath Committee to go into the whole criminal justice system. They have held a number of seminars in the country. They have also sent questionaires to most of the jurists, specialists, and other people in the profession. They are taking a comprehensive review of the entire criminal justice system. The term of reference of the Committee have been made more explicit and unequivocal. When the Committee submits its report, some measures would be taken, and I hope, with those measures we might be able to take care some of the problems which have been pointed out by the hon. Member, and which really have an impact on the whole society.

SHRI NILOTPAL BASU: Mr. Chairman, Sir, everybody will appreciate that there are a number of cases where the security forces, the police and other agencies have actually failed to mete out punishment to the accussed. And, the National Police Commission, in one of its latest reports, has

actually pinpointed that there is no proper investigation and prosecution. In the absence of that, there is a growing demand for the so-called "tough laws". I want to know whether any discussion is taking place between the Government of India, as the Central agency, and the State Governments, so that the success rate, in terms of proper investigation and prosecution, improves.

SHRI I.D. SWAMI: Sir, all these questions are taken up every year at the Annual Conference of the Director-Generals of Police of States. All these matters are discussed threadbare in a two-day conference, and due notice is taken of these problems. All the States are faced with these problems. But, law and order being a State subject, the Centre, as such, cannot do much, except to wait for the report of Justice Malimath Committee. When the Committee submits its report, certainly, these things will be taken care of.

SHRI B.P. SINGHAL: Mr. Chairman, Sir, our country has seen a sharp rise in the crime situation since 1974, when the judiciary was separated from the Executive, and Prosecution was divorced from the Police. This experiment has been going on for the last 28 years. Is the Government contemplating to reconsider it? It was supposed to be a progressive step, but it has proved to be a curse for this country. The crime situation has gone out of control.

SHRI I.D. SWAMI: Sir, the Prosecution was separated from the Executive because of the recommendation made by the Law Commission. All the States have implemented that recommendation. A Directorate of Prosecution has been established separately in most of the States, and things are going on in a normal way. I do not know how the hon. Member has got this impression. If we go back on that step, it would be called a retrogressive step, instead of progressive step.

SHRI KAPIL SIBAL: Without waiting for the report of the Malimath Committee, you can take steps for amending the Evdience Act by allowing a new methodology to get evidence though technological means. Is the Government considering that?

SHRI I.D. SWAMI: Sir, a suggestion has come today from the hon. Member who is very experienced, and who is also a very senior Advocate. We will certainly consider that very sympathetically

MR. CHAIRMAN: Question Hour is over.